

City of Corunna
Regular Council Meeting
Monday, February 3, 2003

Present: Jessen, Johnson, Mehigh, Runyan, Sanderson, Wagner.

Absent: Corey (excused).

Guests: Joe Sawyer, City Manager; Janet Washburn, Parks and Recreation Director; Judy Horton; Merilee Lawson, Assessor/Planner; Bob Ockerman; Pat Yott; Chief Scott Johnson, Fire Department; Dick Sanderson; Bernie Yott; Chief Mark Hetfield, Police Department; Sue Kadlek, Shiawassee Regional Chamber of Commerce; Brian Sanderson, Shiawassee Regional Chamber of Commerce; Shirley Sanderson; and other concerned citizens.

The meeting was called to order in the City Council Chambers by Mayor Pro-Tem Runyan at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Johnson moved, Wagner seconded to approve the regular meeting minutes as presented.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.

No: None.

Motion CARRIED

Councilperson Sanderson asked to have the last two sentences in paragraph one on page seven of the council packets deleted because the sentences were in error. Sanderson moved, Johnson seconded to amend the minutes by deleting the last two sentences in paragraph one on page seven because the sentences were in error.

Roll call vote:

Yes: Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: Jessen.

Motion CARRIED

AGENDA APPROVAL: Johnson moved, Sanderson seconded to approve the agenda as presented with the addition of Item No. 1A) Consider February 3, 2003 Memo From City Manager Regarding Intergovernmental Water Study, Item No. 7) Consider Review of Owosso Water Agreement, and Item No. 8) Consider Request for Additional Sewer Capacity.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

APPROVAL OF VENDOR DISBURSEMENTS: Mehigh moved, Jessen seconded to approve

the vendor disbursements as presented.

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehigh, Johnson.

No: None.

Motion CARRIED

PRESENTATION BY SHIAWASSEE REGIONAL CHAMBER OF COMMERCE: Sue

Kadlek and Brian Sanderson from the Shiawassee Regional Chamber of Commerce presented the city with a check for \$181.50, which represented donations collected during the Festival of Trees.

CONSIDER ADOPTION OF ORDINANCE 03-01 (AMENDING MICHIGAN VEHICLE

CODE ORDINANCE): Wagner moved, Sanderson seconded to leave the regular session and go into a public hearing to consider Ordinance No. 03-01 (amending Michigan Vehicle Code Ordinance).

Roll call vote:

Yes: Mehigh, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED Time was 7:21 p.m.

Chief Hetfield explained the ordinance change was needed since the state legislature changed the Michigan Vehicle Code. Councilperson Mehigh asked if the ordinance change would keep the city in compliance even if future changes were made. Chief Hetfield advised yes. Mehigh moved, Jessen seconded to leave the public hearing and return to the regular session.

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehigh, Runyan, Jessen.

No: None.

Motion CARRIED Time was 7:26 p.m.

Mayor Pro-Tem Runyan read Ordinance No. 03-01 (amending the Michigan Vehicle Code Ordinance). Mehigh moved, Jessen seconded to adopt the following ordinance:

ORDINANCE NO. 03-01

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA BY AMENDING CHAPTER 74 – TRAFFIC AND VEHICLES, ARTICLE I. – IN GENERAL, TO AMEND SECTION 74-1, MICHIGAN VEHICLE CODE, WHICH IS THE ADOPTION BY REFERENCE OF THE: UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND VILLAGES, AND TO PROVIDE FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS THEREOF.

I. AMENDMENT.

Section 74-1 of the Corunna City Code reads:

Sec. 74-1. Michigan Vehicle Code.

- (a) *Code adopted.* ~~The Michigan Vehicle Code, 1949 PA 300, MCL 257-1 to MCL 257.923, is adopted by reference.~~ **The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328 and made effective October 30, 2002, and all future amendments and revisions to the Uniform Traffic Code when they are promulgated and effective in this state are incorporated and adopted by reference.**
- (b) *References in code.* ~~References in the Michigan Vehicle Code to "Local Authorities", shall mean the City of Corunna, Michigan.~~ **References in the Uniform Traffic Code for Cities, Townships, and Villages to a "governmental unit" shall mean the City of Corunna.**
- (c) *Notice to be published and copy availability.* ~~This section shall be published in the Argus Press newspaper, Owosso, Michigan, within seven days after adoption by the Corunna City Council. Copies of this ordinance may be purchased or inspected in the city clerk's offices, Monday thru Friday, between the hours of 9:00 a.m. and 4:30 p.m.~~ **The city clerk shall publish this ordinance in the manner required by law and shall publish, at the same time, a notice stating the purpose of the Uniform Traffic Code for Cities, Townships, and Villages and the fact that a complete copy of the code is available to the public at the office of the clerk for inspection.**
- (d) *Penalties.* ~~The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the city may not enforce any provisions of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.~~ **The penalties provided by the Uniform Traffic Code for Cities, Townships, and Villages are adopted by reference.**

- II. CONFLICTING ORDINANCES AND PORTIONS THEREOF REPEALED.
All Ordinances previously adopted and inconsistent with the provisions of this Ordinance are repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

- III. EFFECTIVE DATE.

This Ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Bob Ockerman stated council was heading down a slippery slope by changing the minutes as recorded. He further stated council needed to be damn careful. Mayor Pro-Tem Runyan gaveled Mr. Ockerman. Mr. Ockerman asked why he was gaveled. Mayor Pro-Tem Runyan advised Mr. Ockerman that he did not like the language that was being used.

Mr. Sawyer advised the Yotts were present and could give a report about the Chili Supper. Mrs. Yott advised the Friends of the Library cleared \$1,460 from the Chili Supper, but there were some small bills that have not been paid.

CONSIDER FEBRUARY 3, 2003 MEMO BY CITY MANAGER REGARDING THE INTERGOVERNMENTAL WATER STUDY: Johnson moved, Sanderson seconded to endorse the February 3, 2003 memo by the city manager regarding the Intergovernmental Water Study.

Roll call vote:

Yes: Jessen, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

CONSIDER APPROVAL OF CORUNNA AREA AMBULANCE SERVICE AGREEMENT:

Councilperson Johnson advised she thought the payment date for townships was March 1 and not June 1. Councilperson Mehigh stated he thought the payment date went along with the township's fiscal year, but he may be wrong. Mr. Sawyer advised he has to go over the meeting minutes to find out when the service agreement came to the council before because he thought it has been almost one year. The last time the service agreement came to council there were some changes made to the agreement by council, but he has not had a chance to find out what the changes were or if the changes have been incorporated. He further advised paragraph seven on page 19 of the council packet was flawed because it does not include what the pay structure is. He also advised paragraph five on page 18 would not have been an issue one-year ago, but it is today. The 10-employee statement is questionable because it is his understanding that the township is not assessing Meijers, Wal-Mart, Home Depot and other large companies for part-time employees. Mr. Sawyer stated the city has always assessed part-time employees, and if this change was made in the past year, then the change should be spelled out in the agreement how this will be done. Mayor Pro-Tem Runyan asked if the agreement with the proposed changes should be passed. Mr. Sawyer advised it would be his recommendation to table the item. Johnson moved, Wagner seconded to table the Corunna Area Ambulance Service Agreement until the next meeting. Councilperson Mehigh stated he had a question concerning Venice Township. Mr. Sawyer advised

since Venice Township has withdrawn from the service district area, he did not see the logic in keeping them in the agreement. Councilperson Johnson advised the ambulance service still services Venice Township. Councilperson Mehig stated the ambulance board wants Venice Township to pay the ambulance service if it continues to provide service to the township. Mr. Sawyer asked if Venice Township would fall under mutual aid. Councilperson Johnson advised no, the township is in the ambulance's service coverage area.

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehig, Johnson.

No: None.

Motion CARRIED

CONSIDER POLICY FOR CLOSING/VACATING STREETS OR ALLEYS: Johnson moved,

Wagner seconded to approve the policy for closing/vacating streets or alleys. Merilee Lawson advised the policy would clear up a lot of the gray areas in the city's current ordinance. Mr. Sawyer advised there is no fee for closing/vacating a street or alley, which is something the city might want to change. Ms. Lawson advised when the city vacates or closes a street or alley, the city is giving up all of its rights. She further advised wording for utility easements could be put in the policy.

Roll call vote:

Yes: Sanderson, Mehig, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

CONSIDER RESIGNATION OF JUDIE STRAUCH FROM THE SOFTBALL COMMISSION:

Sanderson moved, Mehig seconded to accept the resignation of Judie Strauch from the Softball Commission effective January 23, 2003.

Roll call vote:

Yes: Mehig, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED

CONSIDER ADDITIONAL APPROPRIATION AND BUDGET AMENDMENT TO THE CEMETERY FUND TO CURE DEFICIT: Johnson moved, Mehig seconded to

approve the following resolution:

RESOLUTION 02-03-03-01

RESOLUTION AMENDING THE 2002/2003 BUDGET

WHEREAS, The City Council of the City of Corunna desires to Amend the 2002/2003 Budget to Alter the Original Appropriation and Adjust Departmental Expenditures within the Altered General Fund Appropriation;

NOW THEREFORE BE IT RESOLVED, that the budget for the City fiscal year beginning July 1, 2002 after recommendation by the City Manager be amended by the City Council as described as follows:

General Fund Expenditures:

<u>Dept. #</u>	<u>Dept. Name</u>	<u>FROM:</u>	<u>TO:</u>
101	City Council (From Contractual)	\$57,106	\$52,710
750	City Services (To Cemetery Appropriation)	\$149,843	\$154,239

BE IT, the same is hereby adopted, and the amount therein provided as recommended; appropriations are hereby appropriated according to the departmental totals.

BE IT FURTHER RESOLVED, to amend the following fund budgets:

<u>Fund. #</u>	<u>Fund. Name</u>	<u>FROM:</u>	<u>TO:</u>
209	Cemetery Fund	\$30,000	\$34,396

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehigh, Runyan, Jessen.

No: None.

Motion CARRIED

CONSIDER COMPUTER PURCHASES: Mehigh moved, Jessen seconded to authorize the city manager to obtain prices for computer replacements for the assessor, clerk, shared computer and server, as well as the addition of a laptop for the Department of Public Works and execute the purchase in an amount not to exceed \$8,000.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.

No: None.

Motion CARRIED

CONSIDER REVIEW OF OWOSSO WATER AGREEMENT: Johnson moved, Wagner seconded to request that the city manager negotiate with the City of Owosso on improvements to the water agreement.

Roll call vote:

Yes: Jessen, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

CONSIDER REQUEST FOR ADDITIONAL SEWER CAPACITY: Mr. Sawyer explained the reasons for this request. He further explained the city pays operational costs based on flow so the city has been paying 14 percent of the operational expenses at the wastewater plant. Mehigh moved, Jessen seconded to request that the City of Owosso review the feasibility of increasing capacity at the wastewater plant and/or increase the design capacity.

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehig, Johnson.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Bob Ockerman asked how much cash the ambulance board has in the bank and in their accounts receivable. Mayor Pro-Tem Runyan advised Mr. Ockerman he would have to go to the ambulance board meeting if he wanted that information. Councilperson Mehig advised Mayor Pro-Tem Runyan was absolutely right and informed Mr. Ockerman that he should come to the ambulance board meeting to find out that information. Mr. Ockerman advised he was not allowed on the ambulance service property. Councilperson Mehig advised Mr. Ockerman if he conducts himself in a proper manner then that would not be an issue. Mr. Ockerman stated he always does.

Merilee Lawson stated it was nice to see that the council backs Mr. Sawyer especially on the sewer capacity issue.

Janet Washburn stated this council is extremely fortunate to have a city manager that has bit the bullet on the sewer issue.

Mr. Sawyer advised there was a work bee held last Saturday at the new library building, and the unloading of the bookshelves has been scheduled for this Saturday. He further advised he would be meeting with an architect to review what the American Disabilities Act requirements are. He also advised council might have to make a decision about the fire department situation if the township does not choose to pay any rent for vehicle storage.

ROUNDTABLE DISCUSSION: Councilperson Mehig advised Mr. Sawyer does an outstanding job. Councilperson Mehig further advised Mr. Sawyer has surrounded himself with very good staff.

Councilperson Jessen stated he agreed with Councilperson Mehig.

Councilperson Johnson stated Mr. Sawyer does an outstanding job and encouraged him to keep it up.

Councilperson Sanderson stated he feels more confident today about the water and sewer issues and maybe everything will start to fall into place. Mr. Sawyer stated sometimes it feels like the city has hit a brick wall, but the city is getting the courage to break through the brick wall and is realizing the city has other options.

Mayor Pro-Tem Runyan stated he agreed with the rest of the council about what Mr. Sawyer has done. Mayor Pro-Tem Runyan thanked all of the volunteers for their help in renovating the new library building.

ADJOURN: Johnson moved, Mehig seconded to adjourn.

Roll call vote:

Yes: Sanderson, Mehig, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED Time was 8:28 p.m.

LARRY RUNYAN, MAYOR PRO-TEM

YVONNE F. LONG, CITY CLERK